

McCoy, Melinda

From: McCoy, Melinda
Sent: Friday, September 25, 2015 4:11 PM
To: Mary Barnett
Cc: Nelson, Russell; Crocker, Philip
Subject: re: Shumaker copper WER study
Attachments: EPA Technical Comments_Two Bayou WER Draft Report_2.22.08.doc; ar0034363_renewal_20150411.pdf

Hi Mary,

This is to follow-up on our recent conversations about the status of the Shumaker Public Service Corporation's (Shumaker) copper water-effect ratio (WER) study and EPA's February 22, 2008, comments (attached) on the draft copper WER study report which was dated September 2007.

As described in earlier conversations and emails, derivation of a water-effect ratio (WER) by a State is a site-specific criterion adjustment subject to EPA review and approval/disapproval under Section 303(c). Further discussion on this available in section 3.7.5 of EPA's WQS Handbook available online at:

<http://water.epa.gov/scitech/swguidance/standards/handbook/chapter03.cfm#section7>

In the Shumaker permit (AR0034363, effective date of July 1, 2015) (also attached), ADEQ included Condition No. 7 in Part II which requires the permittee to "finalize the Draft Site Specific Copper Water Effect Ratio (Draft WER)." The first step identified therein is to address EPA's February 22, 2008, technical comments.

As we discussed in our phone call last Friday (September 18, 2015), I have recently looked over the earlier February 22, 2008, technical comments and wanted to share my current thoughts about the comments with you.

Comment 1: Given the better mapping application tools available today, I was able to ascertain and confirm that the upstream sampling site was located on Two Bayou Creek (not on a tributary to Two Bayou Creek). As such, the questions and potential concerns noted in my earlier comment #1 are no longer of concern.

Comments 2 and 3: Based on the information available under Comment #7 in the "Response to Comments" section available at the end of the permit (see second attachment), it appears that Shumaker accepted the recommendation to eliminate the second study event WER, resulting in an ultimate WER value of 11.8717. Accordingly, when finalizing the September 2007 draft copper WER study report, it would be important to revise pertinent areas in the report where the final WER value is presented (e.g., replacing the value 15.36 with 11.8717 and revising the discussion(s) as appropriate in the Executive Summary, Conclusions section, and in any other areas as appropriate).

Remaining comments (4 through 22 as listed under the "Specific Comments" heading): It appears that these comments are relatively straightforward and could be simply addressed through making minor edits/revisions to the September 2007 draft copper WER study report.

Thanks!
Melinda

Melinda McCoy, Environmental Scientist
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McCoy, Melinda

From: Barnett, Mary <BARNETT@adeq.state.ar.us>
Sent: Friday, April 25, 2014 10:12 AM
To: McCoy, Melinda
Subject: RE: Shumaker Cu WER

Thanks for sending those.

It has been determined that there is not a final report.

Somewhere along the line it was determined by someone the issue was taken care of since using the WER number mentioned in EPA's comments the data did not show RP.

There is no paper trail on this decision, but apparently it is the reason no final report was done.

Mary Barnett
Ecologist Coordinator
501-682-0666

From: McCoy, Melinda [mailto:McCoy.Melinda@epa.gov]
Sent: Friday, April 25, 2014 10:00 AM
To: Barnett, Mary
Cc: Hubner, Matt
Subject: RE: Shumaker Cu WER

Hi Mary,

The two Excel files associated with EPA's 2-22-08 comments are attached above. Thank you for all your work on WERs in Arkansas. We look forward to hearing back. If there is a revised report addressing EPA's 2008 comments on the draft report (and ADEQ or the facility can find it), I'd be happy to review.

Thanks so much, and hope you have a great weekend!!
Melinda

Melinda McCoy
Environmental Scientist
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From: Barnett, Mary [mailto:BARNETT@adeq.state.ar.us]
Sent: Friday, April 25, 2014 9:48 AM
To: McCoy, Melinda
Subject: RE: Shumaker Cu WER

Melinda,

In EPA's comments on the Draft WER it states "Please note that EPA's hardness normalization and WER calculations for the two study events can be found in the Excel file titled, "Two Bayou WER Study – Hardness Normalization Calculations.doc""

Would you be able to locate this excel file?

We met with the facility yesterday and explained the situation and the options surrounding the WER. I'll keep you posted on what direction they decide to take.

Mary Barnett
Ecologist Coordinator
501-682-0666

From: McCoy, Melinda [<mailto:McCoy.Melinda@epa.gov>]
Sent: Thursday, April 17, 2014 2:37 PM
To: Barnett, Mary
Cc: Hubner, Matt
Subject: RE: Shumaker Cu WER

Hi Mary,

Thank you for sending your follow-up email this morning. Our conversation this morning helped to jog my memory on this one.

I have looked more thoroughly through our electronic files, but still need to locate the hardcopy file(s) (they will either be in our file room or Matt's cube). So far, here's what I've found.

- We (USEPA Region 6) received a workplan for review back in the late June-early July 2006 timeframe (attached above).
- We reviewed and provided technical comments on the above-noted workplan in August 2006 (attached above). (Technical review conducted by me.)
 - Note the last statement in our comments on the workplan: "Once a final water-effect ratio has been determined and site-specific criteria are calculated, adopted by the State of Arkansas, and submitted to EPA for review and approval, EPA will conduct its formal review of the submission under Section 303(c)(2) of the Clean Water Act at that time."
- We received a revised workplan in October 2006 (attached above).
- We received a draft copper WER study final report for Two Bayou Creek (Shumaker) on January 30, 2008 (likely located in our hardcopy files).
- We reviewed and provided technical comments to ADEQ on the above-noted draft report on February 22, 2008 (see last attachment above). (Technical review conducted by me.)
- On April 17, 2008 (just prior to my departure to Region 10), I prepared some notes (for those remaining here in R6) regarding the status of various AR WQS-items that I had been working on. In those notes, I commented that as of that day (April 17, 2008), EPA had not yet received any responses to our February 22, 2008, comments.

After that I don't see anything further in our electronic records.

I have sent a request to our file room to check out a few hardcopy file(s) from the FY06-07 timeframe that may contain more information on the Shumaker WER to confirm for sure whether or not we received anything further after April 17, 2008. (If I don't find anything in those files, then I would need to check with Matt when he comes back to see if he kept the hardcopy file in his cube since the Shumaker WER effort was an ongoing project when I left for Region 10.)

However, given the lack of electronic records after April 17, 2008, I'm assuming that we (EPA) just never received the responses to our February 22, 2008, comments, nor a revised final report. And, based on our

conversation this morning, it sounds like a final WER for Two Bayou wasn't adopted into the ARWQS either (and therefore not submitted to EPA for CWA §303c review).

You also mentioned this morning that the final WER included in the Shumaker permit is different from that identified in the January 2008 draft WER study final report. This indicates to me that there may actually be a revised final report out there somewhere (and hopefully responses to our February 22, 2008, comments). If ADEQ can locate such a revised final report (either in-house or through contacting the facility or its contractor for the WER study) and you'd like me to provide a technical review of that new information, I'd be happy to do so. (Responses to our February 22, 2008, comments would be helpful too.)

I'll be sure to let you know if I find anything more from our hardcopy files.

Thank you very much and it was nice talking with you this morning ☺.

Melinda

Melinda McCoy
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EPA Region 6 (6WQ-EW)
214-665-8055
mccoy.melinda@epa.gov

From: Barnett, Mary [<mailto:BARNETT@adeq.state.ar.us>]
Sent: Thursday, April 17, 2014 10:53 AM
To: McCoy, Melinda; Hubner, Matt
Subject: FW: Shumaker Cu WER

Our files regarding the Shumaker Cu WER seem to be a bit thin. Could one of ya'll send us a copy of EPA's approval or the WER or any documentation stating that it was ok to use in the permit?

Thanks,

Mary Barnett
Ecologist Coordinator
501-682-0666

From: Barnett, Mary
Sent: Thursday, March 20, 2014 8:42 AM
To: McCoy, Melinda (McCoy.Melinda@epa.gov); hubner.matt@epa.gov
Cc: Clem, Sarah
Subject: Shumaker Cu WER

The Shumaker permit (AR0034363) is up for renewal soon. This is the only facility that has a WER in the permit. The permit is the only place the WER is mentioned (page 134 of the Statement of Basis).

In 2007 EPA oked the Cu WER.

ADEQ would like EPA to review the Shumaker Cu WER to make sure it is still relevant in light of recent WER thinking before it starts on the path to incorporation into Reg 2.

The WER and the technical comments can be found on the ADEQ permits website, they are dates 2007 and 2008
http://www.adeq.state.ar.us/home/pdssql/p_permits_online_npdes_additonal.asp?PmtNbr=AR0034363&Category=PermitInformation&Title=Permit Information

Thanks,

Mary Barnett
Ecologist Coordinator
501-682-0666

McCoy, Melinda

From: Barnett, Mary <BARNETT@adeq.state.ar.us>
Sent: Thursday, April 17, 2014 2:44 PM
To: McCoy, Melinda
Subject: RE: Shumaker Cu WER

Melinda,
Thanks SO much for this time line! I'm headed to our file room to start digging.
I'll let you know if I find anything.
I think Shumaker may have contacted AquaTer seeking a copy of the report.

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From: McCoy, Melinda [mailto:McCoy.Melinda@epa.gov]
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